Lords Second Reading Briefing: The English Devolution and Community Empowerment Bill

02 December 2025

This briefing is on behalf of nature and animal welfare coalition Wildlife and Countryside Link (Link).

Executive summary

The English Devolution and Community Empowerment Bill will create powerful new strategic authorities whose decisions will shape England's land use, housing and infrastructure for decades, but the Bill currently contains no mechanism to ensure these bodies help deliver the UK's legally binding climate and nature goals. A **strengthened statutory Climate and Nature Duty** is essential to close the gap between national ambition and local delivery, particularly as existing duties are too weak to influence major decisions, specifically tie action to our carbon budgets and nature targets, and are consistently overshadowed by growth pressures. The proposed duty would not add new costs, but would help consistently align decisions with the obligations already set out in the Climate Change Act and Environment Act. Such a move is merely a simple, but necessary rationalisation of the existing policy and legal landscape, which is strongly backed by businesses, councils, and cross-party leaders.

We also support amendments to ensure that **growth plans align with Local Nature Recovery Strategies and the Land Use Framework**, and **giving communities powers to purchase and protect wildlife-rich land.** Taken together, these measures would ensure that devolution drives climate-ready, nature-positive development and enables local areas to contribute meaningfully to our national environmental targets.

Introduction:

The English Devolution and Community Empowerment Bill seeks to create a more consistent system of devolution in England by establishing 'London-style' strategic authorities with responsibility for housing, planning, land use, and transport across regions of around 1.5 million people. These bodies would prepare regional growth plans, set frameworks for local planning, have revenue raising powers, take on development, planning and land assembly functions, and influence long-term patterns of infrastructure and economic development. these decisions will directly influence carbon emissions,

land-use change and ecological outcomes, the Bill marks one of the most significant governance shifts in decades in terms of its long-term impact on the UK's climate and nature commitments.

Yet, despite the scale of these new powers, the Bill currently contains no provisions to ensure that climate mitigation, climate adaptation and nature recovery are robustly embedded in the decisions of the new authorities. It acknowledges Strategic Authorities will play a crucial role in preparing for the future and tackling climate change and nature emergencies at the local and regional level, but it does not deliver the mechanics needed to make this a firm reality. This risks a structural gap between national environmental ambition and the new local decision-making architecture.

Introducing a new, clear climate and nature duty for these authorities would ensure that they contribute meaningfully to statutory goals under the Environment Act 2021, the Climate Change Act 2008 and the Air Quality Regulations, delivering the integration required for cohesive national progress.

A strengthened Climate & Nature Duty

(Previous Commons New Clause 29 – *NC 58 addressed the same issue)*[1]

Without a strengthened statutory Climate and Nature Duty, national ambition risks remaining structurally disconnected from local delivery, putting the UK's environmental commitments at risk.

Why a new Duty is needed:

National oversight bodies have already highlighted the current system of duties is not working at the pace we need. The Office for Environmental Protection (OEP) has warned that the pace of nature recovery is far too slow to meet legal commitments, whilst the Climate Change Committee (CCC) has stated that achieving emissions reductions will depend heavily on local and regional action. Many local decisions continue to proceed without reference to national climate or nature targets. Likewise existing duties use weak language, such as the "*have regard*" requirement under the Natural Environment and Rural Communities Act, which is not strong enough to consistently influence major strategic decisions or weight against growth duties. They lack clear expectations, links to measurable outcomes, and the right emphasis to ensure environmental action is prioritised, leading to inconsistent and fragmented local delivery

With the Bill significantly expanding the powers of strategic authorities, the absence of a clear climate and nature duty risks deepening the long-recognised gap between national targets and local action. London, which already operates under such duties, demonstrates that this approach is practical, effective and economically beneficial. WCL's research reveals just how inadequate current arrangements are. Of those surveyed, 59% of English local authorities had failed to put in place the

[1] This amendment is supported a range of stakeholders including Climate Emergency UK, UK100, The Better Planning Coalition, Friends of the Earth, The Wildlife Trusts, South East Climate Alliance, Hampshire Climate Action Network, Association of Directors of Environment, Economy, Planning & Transport (ADEPT).

legally required biodiversity actions, policies or objectives under existing "biodiversity duty." Only 41% have even considered what actions they needed to take, while one-third (34%) were already nearly a year overdue on their duty to consider nature recovery, and about a quarter (25%) had still not adopted necessary policies a year after the deadline. Nearly half (48%) had no relevant biodiversity policies or objectives at all. These widespread and persistent failures demonstrate that the present duties do not deliver nature recovery or climate readiness at the scale or pace required. A strengthened statutory Climate & Nature Duty is therefore essential to correct these systemic failures and ensure new strategic authorities can deliver environmental as well as economic outcomes.

Introducing a climate and nature duty will not add new costs. Authorities are already required to support climate mitigation, adaptation and nature recovery under existing national legislation, including the Climate Change Act and Environment Act. The proposed Duty simply ensures that decisions taken by strategic authorities are more closely and consistently aligned with these existing statutory obligations and national obligations, targets and carbon budgets. By embedding environmental considerations early, rather than retrofitting or correcting misaligned decisions later, the duty would help reduce long-term financial, legal and operational risks.

It is also incorrect to suggest that the current duties are sufficient. In practice, they are routinely overshadowed by stronger and more explicit growth-focused duties or pressures. This imbalance means that many decisions proceed without due consideration of climate or biodiversity impacts, undermining national progress and creating policy or legal uncertainty down the line for investors and local communities. Strengthening the Duty and aligning with would ensure clarity, consistency and coherence across regions, enabling local decision-making to meaningfully support national environmental goals.

A climate and nature duty would provide a stable, consistent framework for strategic planning, giving authorities, developers and investors the certainty needed for long-term sustainable growth.[2] Embedding environmental resilience more firmly at the heart of decision-making would support high-quality development, reduce future costs, and protect communities from escalating climate risks.

Strong cross sector support:

The proposal is simple common-sense move to bring clear, and welcome alignment with existing legislation, a move that is strongly supported across relevant sectors. *Twice* more than **100 businesses**, as well as the Local Government Association, the District Council Network, London Councils, ADEPT and the vast majority of UK100 members, have called for a statutory duty to ensure effective climate action at local level.[3]

Recently, over 500 councillors from across England and from almost every major party recently signed an open letter in support of a stronger Duty. The councillors that signed the letter include 20 leaders

[2] https://ukgbc.org/news/more-than-100-businesses-call-on-the-government-for-planning-reform/
[3] https://climateemergency.uk/climate-emergency-uk-produce-joint-briefing-for-planning-infrastructure-bill/

or deputy leaders of councils, 70 council cabinet members, Labour London Assembly Member, Leonie Cooper and Labour Mayoral candidate for Hampshire & Solent, Lorna Fielker. This broad consensus shows that the Duty is not only necessary, but widely recognised as essential to deliver coherent, future-proofed devolution and sustainable growth.

The Bill represents a once-in-a-generation opportunity to align devolution effectively with the UK's climate and nature goals. Without a statutory duty, strategic authorities will lack the clarity, mandate, and consistency needed to deliver on national commitments, perpetuating the systemic issues that have hindered progress for more than a decade. There are good precedents for this change. The Health and Care Act 2022 placed new duties on integrated care boards, NHS trusts and foundation trusts to consider statutory emissions and environmental targets in their decisions. More recently, the Government has updated statutory duties for the Crown Estate and Ofwat to consider nature and climate targets.

A climate and nature duty is therefore necessary, proportionate, and strongly supported. Including it in the Bill would ensure that devolution becomes a powerful driver of climate-ready, nature-positive, resilient communities across England.

Aligning growth strategies with nature recovery
(Previous Commons Amendment 65)

Schedule 19 places a duty on the new strategic authorities and mayors to prepare growth plans, but as drafted, it fails to connect these plans with the work already happening locally to restore nature. Amendment 65 would close this gap by requiring mayoral combined authorities to ensure that their growth strategies are consistent with the national Land Use Framework and with the relevant Local Nature Recovery Strategies (LNRSs). This alignment would ensure that decisions on economic development support, rather than undermine, the priorities for restoring nature, helping to realise the government's promised "win-win" approach.

LNRSs will set out where action for nature is most needed, highlighting areas crucial for biodiversity, climate adaptation and the delivery of vital ecosystem services. When nature continues to decline locally, it directly threatens public health, water quality, community wellbeing and ultimately the resilience of local economies. Ensuring that growth plans take LNRSs into account from the outset would help avoid these risks by identifying potential conflicts early and by integrating nature recovery into development planning in a practical and proportionate way.

In essence, this offers a straightforward and low-cost way to ensure that economic growth and nature recovery work hand in hand, helping to secure sustainable prosperity over the long term.

Community land-for-nature purchase powers
(Previous Commons Amendment 107, including related Amendment 108 and Amendments 57–60)

We support an amendment that would give communities new powers under Schedule 27 to purchase and protect land that is valuable for wildlife, an option that current legislation does not provide. The Localism Act 2011 only allows community assets to be listed where they bring cultural, social or recreational benefits. It does not currently allow sites to be protected for their environmental importance, even where they offer significant community benefits such as access to nature, improved wellbeing and local character. This is short sighted, and fails to reflect the community value of nature, extensively recognised in the Government's own Environmental Improvement Plan (EIP) commitments to accessing nature and the recognition of the benefits for wellbeing.

This would expand the community right to buy to include land that contributes to environmental wellbeing, provided it is not already allocated for development in the local plan. This safeguard ensures the power cannot be used to frustrate planned development. Drawing on successful examples from the Scottish Land Reform Act, the amendment would enable communities to acquire and protect wildlife-rich areas when they come up for sale, and to restore and manage them in ways that strengthen local identity, improve public health and secure long-term benefits for nature. This would not only help achieve the government's goals for access to nature and the well-being benefits in the EIP but help communities to support action towards achieving the UK's Environment Act targets to halt species decline.

In doing so, this would finally give communities a meaningful tool to defend the nature-rich places that matter most to them.

Wildlife and Countryside Link (Link) is the largest nature coalition in England, bringing together 90 organisations to use their joint voice for the protection of the natural world and animals.

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